

Milbank

GEORGE S. CANELLOS

Partner

55 Hudson Yards | New York, NY 10001-2163

T: 212.530.5792

gcanellos@milbank.com | milbank.com

September 23, 2019

VIA ECF AND EMAIL

The Honorable Analisa Torres
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: SEC v. AR Capital, LLC, et al. (No. 1:19-cv-06603-AT)

Dear Judge Torres:

We write on behalf of non-party VEREIT, Inc. (“VEREIT”) to respectfully request an extension of the deadline for the Securities and Exchange Commission (the “SEC”) to file its opposition, if any, to VEREIT’s Motion to Intervene and for Disbursement of Settlement Funds (“Motion”) in the above-captioned matter. The purpose of the requested extension is so that VEREIT and the SEC have the opportunity to meet and confer in connection with the SEC’s consideration of VEREIT’s Motion. The SEC has informed us that it does not oppose this request. The parties have not previously requested an extension.

Presently, the SEC’s opposition, if any, is due by October 2, 2019, and VEREIT’s reply, if any, is due by October 9, 2019. (*See* Dkt. No. 20.) The parties consent to, and respectfully request that the Court adopt, the following proposed schedule: the SEC’s opposition, if any, is to be filed by October 23, 2019, and VEREIT’s reply, if any, is to be filed by November 6, 2019.

MILBANK LLP

NEW YORK | LOS ANGELES | WASHINGTON, D.C. | SÃO PAULO | FRANKFURT
LONDON | MUNICH | BEIJING | HONG KONG | SEOUL | SINGAPORE | TOKYO

Hon. Analisa Torres
September 23, 2019

Page 2

We appreciate the Court's attention to this request.

Respectfully submitted,

A handwritten signature in blue ink that reads "George S. Canellos". The signature is written in a cursive, flowing style.

George S. Canellos

cc: All counsel (*via ECF*)